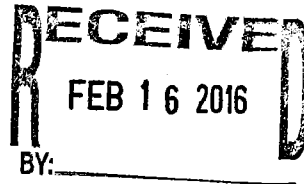




U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Minneapolis Area Office

330 Second Ave South
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Minneapolis, MN 55401
(612) 335-4041
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Charge Number: 444-2014-00129

Willie Staple
116 Hillside Ave.
Jordan, MN 55352

Charging Party

vs.

JL Schwieters
13925 Fenway Boulevard North
Hugo, MN 55038

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of this charge under Title VII of the Civil Rights Act of 1964, as amended (Title VII).

The Respondent is an employer within the meaning of Title VII and all requirements for coverage have been met. The charging party alleged that he was discriminated against on the basis of his race/black when he was harassed and constructively discharged in February 2013.

I conclude that there is reasonable cause to believe that the charging party was discriminated against on the basis of his race/black in violation of Title VII when he was subjected to a hostile work environment and constructively discharged from employment. The record shows that a class of employees was subjected to racial harassment.

This determination is final. When the Commission finds that violations have occurred, it attempts to eliminate unlawful practices by informal methods of conciliation. Therefore, I invite the parties to join with the Commission in reaching a just resolution to this matter. Disclosure of information obtained by the Commission during the conciliation process will be made only in accordance with the Commission's Procedural Regulations (29 CFR Part 1601.26).

If the Respondent wishes to accept this invitation to participate in conciliation efforts, it may do so at this time by proposing terms for a conciliation agreement; that proposal should be provided to the Commission representative within 14 days of the date of this determination. The remedies may include, as appropriate, an agreement by the Respondent not to engage in unlawful

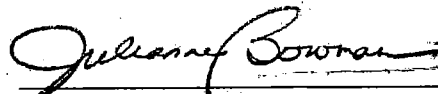
employment practices, placement of identified victims in positions they would have held but for discriminatory actions, back pay, restoration of lost benefits, injunctive relief, compensatory and/or punitive damages, and notice to employees of the violation and the resolution of the claim.

Should the Respondent have further questions regarding the conciliation process or the conciliation terms it would like to propose, we encourage it to contact the assigned Commission representative, Denae Schuldt, at 612-334-4007 or at denae.schuldt@eeoc.gov. Should there be no response from the Respondent in fourteen (14) days, we may conclude that further conciliation efforts would be futile or nonproductive.

On behalf of the Commission,

2.11.16

Date



Julianne Bowman
District Director

cc: Scott S. Payzant
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